IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 2762 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE P.B.MAJMUDAR

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KHYATI CHEMICAL PVT. LTD. (UNIT-2) AND OTHERS
Versus
THE STATE OF GUJARAT AND ANOTHER

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Appearance :
MR RAVI KARNAVAT for Applicants.
MR PRADIP BHATE, APP for Respondent No. 1.
MR ND GOHIL for Respondent No. 2.

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CORAM : HONOURABLE MR.JUSTICE P.B.MAJMUDAR

Date : 19/01/2006

ORAL JUDGMENT

Mr.Ravi Karnavat, learned advocate for the applicants submitted that there was a proper treatment plant in the factory for discharge of water at the relevant time and the company has not violated any

provision of environmental law. In order to take all these points by way of defence in pending trial, learned advocate for the applicants is not pressing this application and seeks permission to withdraw this application.

Permission is granted. Accordingly, this application is disposed of as withdrawn. Rule is discharged. Interim relief granted earlier stands vacated. It is clarified that this Court has not expressed any opinion on the merits of the issue. It is further clarified that as and when any defence is raised on behalf of the applicants in pending trial, it is for the concerned Court to consider the same in accordance with law.

(P.B.MAJMUDAR, J.)

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